



FY2015 Performance Oversight Hearing

Council of the District of Columbia Committee on Education
David Grosso, Chairman

March 2, 2016



State Board of Education of the District of Columbia
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Good morning Chairman Grosso and members of the Committee on Education. My name is Jack Jacobson and I have the honor to serve as the President and Ward 2 member of the DC State Board of Education. I am joined today by John-Paul Hayworth, Executive Director of the State Board; Joyanna Smith, Ombudsman for Public Education, and Faith Gibson Hubbard, Chief Student Advocate. We are pleased to be here today to highlight the important work of the State Board of Education over the past year.

Ms. Smith and Ms. Gibson Hubbard have their own testimony, but I wanted to take the opportunity to thank them for their service this year. As the Council is aware, Ms. Smith is in her third year and Ms. Gibson Hubbard will be celebrating a year with the agency this May. Both the Ombudsman and Student Advocate offices provide vital assistance to families and students across the District, and their work not only solves individual problems but also helps identify trends and issues that inform our education policy decisions.

As education policy leaders responsible for establishing rules that affect all students, from academic standards to the state accountability system, the State Board's nine elected members and two student representatives – Brian Contreras from School Without Walls and Destinee Whittington from Richard C. Wright Public Charter School – provide a crucial independent voice for all District of Columbia residents. We focus solely on education-related matters, and the policies we approve reflect deep, meaningful community engagement and thus the views and needs of all District residents.

Further, this year the Board decided to create systematic avenue for student input on Board matters through a Student Advisory Committee (SAC). The SAC is designed to include 17 students from across the District. Five students are selected from the most populous DCPS high schools; five students are selected from the most populous public charter high schools, and another five students are selected from other schools. The State Board's Student Representatives co-chair the Student Advisory Committee. The SAC has held a number of meetings since September 2015 including a joint meeting with the Public Charter School Board's Student Advisory Committee to discuss the revisions to the District's health education standards. The student voice is vital to ensuring that the policy's we approve are the ones that would best benefit our students.

This has been a year of significant change, in which the State Board welcomed a new Executive Director, John-Paul Hayworth, and policy analyst, Sean Chalk, as well as a new Chief Student Advocate. While responsibilities rose, our physical office space and resources needed to do the job shrank. I'm pleased to say that with the assistance of the Council and Deputy Mayor for Education (DME), we are within a few weeks of opening expanded office space that will better serve the needs of the Board, while providing some breathing space for the Ombudsman and Chief Student Advocate to conduct their sensitive work. Sound proofing for offices and a space for confidential consultations remain a concern for the agency.

The State Board took another step forward this year toward its commitment to increasing public engagement and transparency. We recently updated our website to be more user-friendly and



have been broadcasting our working sessions and public meetings via Twitter so people can tune in from home as we discuss important topics. We also are working closely with the Office of Cable Television to get information out on the District Knowledge Network about the Board and its activities.

Finally, the State Board is making efforts to provide information in languages other than English. As the Council is well aware, the Language Access Act of 2004 requires that District agencies provide written translation of vital documents into any language spoken by a limited-English proficient or non-English proficient population that constitutes 500 individuals or 3% of the population served or encountered by the agency. The Act also instructs agencies that oral language services should be provided. While the State Board has not been able to totally fulfill this mandate, we have ensured that our staff members have access to translation and interpretation services and have worked to translate priority portions of our website. Let me be clear, the State Board is not capable of full compliance of the Act without additional resources. However, we are doing our best to partner with other agencies and organizations so that no one is turned away from the State Board of Education due to language barriers.

Mr. Chairman, the primary function of the State Board is to adopt and advise on policies that best serve our city's students. In 2015, we worked on a wide variety of issues that we believe will help students for years to come.

ESEA Flexibility Waiver

The State Board strived to ensure that the District's flexibility waiver from many of the punitive measures of No Child Left Behind continued to be in effect this school year. The State Board, led by my Ward 3 colleague, worked with the Office of the State Superintendent (OSSE) to create an evidence-based, workable waiver plan that best serves the District's students. That effort included a report and series of recommendations to the State Superintendent centered on the need for more readily available data on student achievement, learning conditions, use of resources, and the need to increase the weight of student progress in school classifications. The State Board conditionally approved the waiver application in March, and formally approved the plan in June.

With the passage of the Every Student Succeeds Act (ESSA) in December, the State Board has been working with its local and national partners, to determine the scope of the changes required, particularly with the National Association of State Boards of Education, which played a key role in shaping the new law during my At-Large colleague's presidency of the organization. One of the most obvious changes that will require legislative action is the removal of the words "No Child Left Behind" from the State Board's enabling statute. We look forward to working with the Committee and with you, Mr. Chairman, on language for the Budget Support Act to make these changes.

Truancy Report



In April 2015, the State Board adopted a report drafted by our Truancy and Student Engagement Committee, chaired by my Ward 4 colleague. This report illustrated challenges that have accompanied implementation of the District's new compulsory attendance laws, particularly the "80/20 rule" that classified students who missed 20% of the school day as truant, and proposed recommendations for improvement. Since then, the State Board has actively participated on the DME's Truancy Task Force, which is investigating solutions to many of the issues the Board identified. In December, the School Attendance and Clarification Amendment Act of 2015 was introduced by you, Mr. Chairman, and Chairman Mendelson, to address some of the concerns included in the Board's report, which you referenced in this committee's report on the bill that was adopted last week.

State Diploma

The State Board conducted substantial research and outreach into granting a State Diploma for individuals who pass the General Educational Development (GED) exam or successfully complete the National External Diploma Program (NEDP). The State Board passed a resolution in November advising OSSE to create regulations for such a credential. The Board heard from many members of the adult education community about the need for a State Diploma at its July public meeting and, at its October public meeting, from employers, educators, and representatives from the District's K-12 education community. The resolution also advises that OSSE take steps to minimize the chance of students dropping out of high school to pursue this alternative credential, and calls for accountability in a number of ways. These include not counting State Diplomas in graduation rates, and for OSSE to issue a report on the policy's effects after five years. We are very proud to report that in January 2016, the State Board gave final approval to the State Diploma and OSSE is working to notify all eligible residents of this change that we believe will be a significant assistance to our adult and nontraditional learners.

High School Credit Flexibility

In August 2015, under the leadership of my Ward 1 colleague, the State Board launched the High School Credit Flexibility Task Force to investigate options for allowing high school students to earn credit outside of the Carnegie unit. The Carnegie unit is an administrative mechanism that equates to 120 hours of seat time, and is the only means of earning high school credit in the District. A task force of 25 members composed of leaders from across the District's education and business community met seven times throughout the fall and created a series of recommendations for regulations related to credit flexibility. The State Board adopted the task force's report and recommendations at its December public meeting and advised OSSE to follow the task force's recommendations to:

- 1) Create a waiver process for schools that wish to implement competency-based learning;
- 2) Allow students to receive credit for demonstrated prior knowledge via an OSSE-approved assessment in foreign language and mathematics;
- 3) Remove the requirement that students enroll in Algebra I in the 9th grade; and,



- 4) Ensure that any waiver granted would have specific and defined evaluation and accountability measures.

The draft regulations were published for public comment on January 22 and we are working with OSSE to incorporate those comments in a final draft. We hope to vote on final regulations this spring so schools have time to prepare for implementing the changes in the fall.

Health Education Standards Review

In 2015, the State Board continued to lead the review of the District's health education standards, first approved in 2008 as a way to recruit schools in the effort to combat the District's high rates of childhood obesity, teen pregnancy, and HIV/AIDS. In 2014, our policy monitoring committee, which I chaired, put together a working group of experts and stakeholders, including staff from District of Columbia Public Schools and OSSE, physicians, community-based organizations, researchers, parents, and youth. This group found that the current standards do not meet the needs of an urban school district, and proposed a set of standards that are more skills-based. This focus on skills is in line with the shift to the Common Core State Standards and the Next Generation Science Standards. At our July public meeting, the State Board heard from students, teachers, and other community members about the need for a new and improved set of health education standards.

The State Board and OSSE worked together to develop a transparent process for additional review, adoption, and implementation of a new set of standards, ensuring that educators and the community will continue to provide input on this important issue. OSSE is preparing to field test an assessment based on a draft of these new standards in spring 2016. This will allow educators to provide additional feedback with a plan to fully implement the standards in the 2016-17 school year. The Board anticipates voting on final standards in the next few months.

State of the Opportunity Gap in the District

2015 also provided ample opportunity to reexamine the staggering gaps in achievement and opportunity in the District between poor and minority students and their higher-achieving peers. The National Research Council's report on the Public Education Reform Act of 2007 (PERRA) brought many of these issues to the forefront once again. Additionally, the results from the first year of PARCC, the District's new Common Core-aligned exams, showed low achievement and troubling gaps among many traditionally underperforming groups. In math, for instance, 68% of white students performed at grade level, while only 16% of black students met that same level. In English/Language Arts, the difference is even starker, 79% for white students and 17% for black students. The National Assessment for Educational Progress (NAEP) showed that while overall scores for District students rose over the last decade, poor and minority students have not made significant gains. The result is that the gaps between poor and well-off students have continued to widen, along with the gaps between white and African American and Latino students. There are also striking disparities for our English language learner population and our special education



students. The State Board's investigation into the gap continues, led by my Ward 8 colleague, and we anticipate presenting that information in the fall.

Budget

Mr. Chairman, the State Board has accomplished all of these initiatives and more with an insufficient budget. For a number of years, the State Board's budget has been repeatedly cut and the independent budget authority provided to it by Council has been ignored. I am proud to say that the State Board is working more closely with its government agency partners than at any other time during my time in office. This Administration has made it clear that they intend to speed up the pace of education reform in the District. The State Board applauds that approach and is eager to do its part. To be frank, though, without adequate resources, that is impossible. We would like to move quickly on these pressing issues, but we cannot move deliberately, thoughtfully, and come to well-reasoned policy positions that are based on evidence without sufficient support. The State Board has the added responsibility of engaging directly with our constituents on these vital issues – and to inform them about what new initiatives and policies will mean for their children, teachers, and schools. We are well aware that the budget is not the subject of this hearing and that the Fiscal Year 2017 Budget is likely to be very tight due to declining revenue. However, I would be negligent in my duties as President if I did not call the Committee's attention to the problem faced by the Board and the support services we must provide to the Ombudsman and Student Advocate.

Mr. Chairman, members of the Education Committee, the DC State Board of Education is pleased to be here today to talk about what we accomplished in 2015; we have a lot to be proud of. More importantly, however, I am proud to be part of a State Board that is active and dedicated to making a difference every day in the lives of District students.

Thank you for the opportunity to testify today. I would welcome any questions you might have.

